

Remarks/Arguments

The foregoing amendments and these remarks are in response to the final Office Action, dated December 29, 2009. This paper is filed with a petition for a one-month extension of time and payment of the associated fee. No additional fees are believed due in connection with this response; however, if any additional fees are required in connection with this response, the Commissioner is authorized to charge any such additional fees to Deposit Account No. 14-1437.

At the time of the Office Action, claims 8-9, 11-15 and 17-19 were pending in the application. Claims 8-19 were rejected. Claims 8-9, 11-12, 14-15 and 17-18 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,435,031 to Black et al. ("Black"). Claims 13 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Black in view of U.S. Patent No. 3,962,775 to King, Jr. ("King"). The rejection of each independent claim will be addressed in turn below.

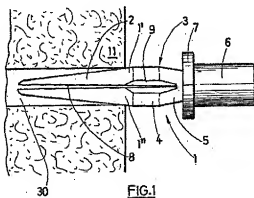
Claim 8

As noted above, claim 8 was rejected under 35 U.S.C. § 102(b) as being anticipated by Black. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); *Atlas Powder Co. v. E.I. du Pont de Nemours & Co.*, 224 USPQ 409, 411 (Fed. Cir. 1984) ("exclusion of a claimed element from a prior art reference is enough to negate anticipation by that reference").

Applicant maintains that Black does not anticipate claim 8 because it fails to disclose each and every recitation of claim 8, as that claim was presented in the previous amendment. Nonetheless, in an effort to advance the prosecution, Applicant has amended claim 8 to further

draw out the unique features of the assembly. Applicant respectfully submits that Black does not disclose each and every recitation of claim 8, as amended.

With reference to FIG. 1 of the present application (shown below), claim 8 has been amended to recite that each peg (1) has a generally conical introduction portion (2) with a diameter that is less than the sleeve diameter at any point along substantially the entire length of the introduction portion (2). As a result, the introduction portion (2) is configured to be introduced with clearance into each respective one of the sleeves (30). The introduction portion (2) transitions to a posterior fixing part (4) including a cylindrical part (4) that has a diameter that is greater than a respective one of the sleeve diameters but adapted to fit within a respective one of the sleeves (30). Thus, the cylindrical part (4) is configured to compensate for the clearance between the introduction portion (2) and the sleeve diameter. The entire introduction portion (2) and the entire cylindrical part (4) of each peg (1) is situated within a respective one of the sleeves (30).



These and other recitations of claim 8 are not disclosed by Black. Each recitation will be discussed more fully below. In addition, Applicant maintains its previous arguments presented in the Amendment dated October 2, 2009. To facilitate the discussion, some of the drawing FIGS. of Black are presented below:

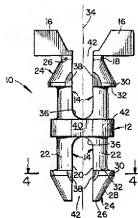


FIG. 1

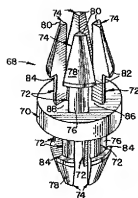


FIG. 8

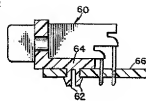


FIG. 7

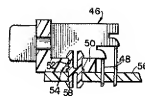


FIG. 6

"wherein the anterior portion of each of the pegs includes a generally conical introduction portion having a diameter that is less than the sleeve diameter at substantially any point along length of the introduction portion, whereby the introduction portion is configured to be introduced with clearance into each respective one of the sleeves"

The Office Action points to outer partial frustoconical surfaces 78 of Black as meeting the introduction portion recited in claim 8. However, this structure fails to meet the above recitations of claim 8. For instance, it cannot be said that surface 78 of black has a diameter that is less than the sleeve diameter (item 58 in Black according to the Office Action). Rather, the it is readily apparent from FIGS. 6 and 7 of Black that the diameter of surface 78 is larger than circuit board hole 58 along its entire length. This is no surprise because Black seeks to avoid the latch from pulling out of the circuit board hole. Thus, the surface 78 must necessarily be larger than the circuit board hole.

"the entire introduction portion and the entire cylindrical part of each peg being situated within a respective one of the sleeves"

The Office Action points to item 78 of Black as meeting the introduction portion recited in claim 8, and it points to item 84 of Black as meeting the cylindrical part recited in claim 8.

However, this structure fails to meet the recitations of claim 8. For example, item 78 is not situated entirely within the circuit board hole (58). Rather, as can be seen in FIGS. 6 and 7 of Black, the item 78 is entirely outside of the circuit board hole and, therefore, cannot be said to be situated within the sleeve. Indeed, Black notes the “prongs may be inserted through a circuit board hole to bring the latches into engagement with the opposite side of the board so that they snap back and secure the block in place on the board.” Black at Col. 1, Lines 7-11. Thus, Black clearly does not contemplate item 78 residing in the circuit board hole 58. Moreover, it would be contrary to the teachings of Black to do so because item 78 would no longer perform its intended securing function.

Therefore, for at least the reasons set forth above and as previously presented, Black fails to disclose several features of claim 8, as amended. Consequently, Black does not and cannot anticipate claim 8. Reconsideration and removal of the rejection is respectfully requested.

Claim 9 and 11-13

Claims 9 and 11-13 depend directly or indirectly from claim 8; consequently, these claims include all of the recitations of claim 8. 35 U.S.C. § 112, ¶4. Because claim 8 is distinguishable over the applied art, claims 9 and 11-13 are necessarily distinguishable over the applied art for at least the reasons set forth in connection with claim 8 above. Further, the King reference does not supply the deficiencies of Black. Reconsideration and removal of the rejection of claims 9 and 11-13 is respectfully requested.

Claims 14

Claim 14 was rejected under 35 U.S.C. § 102(b) as being anticipated by Black. Applicant maintains that Black does not disclose each and every recitation of claim 14, as

previously presented. Nonetheless, in an effort to advance the prosecution, Applicant has amended claim 14. Because these amendments are similar to the amendments made to claim 8, Applicant adopts the remarks and arguments made in connection with claim 8 above. Therefore, for at least these reasons, claim 14 is distinguishable over Black. Reconsideration and withdrawal of the rejection is respectfully requested.

Claims 15 and 17-19

Claims 15 and 17-19 depend directly or indirectly from claim 14, so it necessarily includes all of the recitations of claim 14. 35 U.S.C. § 112, ¶4. Because claim 14 is distinguishable over the applied art, claims 15 and 17-19 are necessarily distinguishable over the applied art for at least the reasons set forth in connection with claim 14 above and because King does not supply the deficiencies of Black. Therefore, Applicant respectfully requests reconsideration and removal of the rejection of claims 15 and 17-19.

Conclusion

In light of the foregoing, it is respectfully submitted that the objections and rejections set forth in the Office Action have been overcome. Accordingly, Applicant respectfully requests reconsideration of the application in light of the above amendments and remarks, withdrawal of the rejections under 35 U.S.C. §§ 102 and 103, allowance of the pending claims, and prompt issuance of a Notice of Allowance.

Respectfully submitted,

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